IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR
S.B. CIVIL WRIT PETITION NO.10267/07
Mahendra Kumar Vs. The Wakf Tribunal & Ors.

Date of order : 12/12/2007.

HON'BLE MR.JUSTICE MOHAMMAD RAFIQ

Shri Amit Jindal for the petitioner.

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This writ petition has been filed with a prayer that since the Presiding Officer was not posted in the Wakf Tribunal, Jaipur, the appeal which was accompanied by the stay petition was not taken up for consideration and now the respondents are proceeding to implement the order passed by the Estate Officer and evict the petitioner from the tenanted premises. It is however informed that the Presiding Officer has now joined.

In the interest of justice, I deem it appropriate to direct that the petitioner shall not be evicted from the tenanted

premises till 10.1.2008 within which time the petitioner shall apply to the Wakf Tribunal for consideration of his stay application and appeal. The Tribunal shall pass appropriate order whether or not to grant interim stay of the order passed by the Estate Officer, to the petitioner pending appeal before that date.

The writ petition is accordingly disposed of.

(MOHAMMAD RAFIQ), J.

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